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REMARKS

The Examiner has rejected the claims 1, 9, 12, 14, 18 and 23 under 35 USC 103 as being obvious over Suzuki in view of Chen stating that Suzuki discloses a screw and screwdriver with the screw comprising claimed features that include a bit engaging groove that is formed in a Y shape divided into three equal parts, formed in a shape of a pot, groove widths of respective branching grooves that extend in a radial direction from a central portion of said bit engaging groove are formed so that said widths gradually expand, thus producing substantially equal intervals with a width dimension of the boundary portions which are between respective adjacent branching grooves being of substantially a same dimension as a width of the branching grooves; respective outer circumferential end wall surfaces of said bit engaging groove are formed in a substantially perpendicular attitude to a specified depth from an opening edge part and step parts sloped downward toward a central portion of a screw neck from perpendicular lower edge portions are respectively provided from the specified depth to a bottom of an intersecting central portion of the bit engaging groove, the surface of the screw head forming the boundary portions is formed at an inclined surface portion that is inclined at an angle of 20° to 50° downward toward the central portion of said bit engaging groove, the bottom of the intersecting central portion of the bit engaging groove is formed as a bottom surface which is a circular conical recessed part provided therein and boundary portions between the respective adjacent branching grooves of the bit engaging groove are formed so that the boundary portions are formed by planar side wall surfaces that intersect at obtuse angles showing left-right symmetry with respect to respective branching grooves in the central portion of the bit engaging groove, but does not specifically disclose the opening edge part of the respective outer circumferential end wall surfaces of the bit engaging groove is formed as an inclined surface that inclines upward at an angle of 15° to 35° from the inner diameter side toward outwardly radial direction; Chen discloses a screw socket opening in which the opening edge part of the respective outer circumferential end wall surfaces of the bit engaging groove is formed as an inclined surface that inclines upward at an angle of 15° to 35° from an inner diameter side toward outwardly radial direction so as to enhance the adaptability of the tool; and it would have been obvious to one of ordinary skill in the art to modify Suzuki in view of the teachings of Chen.

In reply to this rejection, Applicant has carefully reviewed Suzuki and respectfully submits that Suzuki was filed in the United States on April 11, 2005 claiming a foreign priority based upon a Japanese application filed September 12, 2003 and ultimately issued as United States Patent No. 7,147,421 on December 12, 2006 claiming no foreign priority at all. Applicant's application claims foreign priority dates of November 14, 2003 and January 23, 2004, both of which are before the filing date in the United States of Suzuki. Since Applicant's foreign priority dates are before the filing date of Suzuki in the United States, Applicant respectfully submits that Suzuki is not prior art and should be withdrawn as a reference by the Examiner.

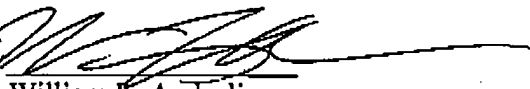
Still further, Applicant respectfully submits that Chen does not disclose all of Applicant's invention and accordingly a rejection based only on Chen does not show or suggest each and every element of Applicant's invention as claimed.

In view of the above, therefore, Applicant respectfully submits that a rejection of Applicant's claims under 35 USC 103 as being obvious over Suzuki in view of Chen should be withdrawn. In addition, Applicant would like to point out that claims 18 and 23 were previously canceled in Applicant's prior response. Therefore, Applicant respectfully submits that the claims 1, 9, 12 and 14 are allowable.

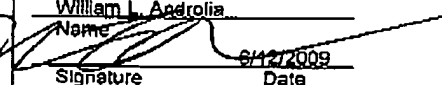
In view of the above, therefore, it is respectfully requested that this Amendment be entered, favorably considered and the case passed to issue.

Please charge any additional costs incurred by or in order to implement this Amendment or required by any requests for extensions of time to QUINN EMANUEL DEPOSIT ACCOUNT NO. 50-4367.

Respectfully submitted,

By 
William L. Androlia
Reg. No. 27,177

Quinn Emanuel Urquhart Oliver & Hedges, LLP
Koda/Androlia
865 S. Figueroa Street, 10th Floor
Los Angeles, California 90017
Tel: 213-443-3000 Fax: 213-443-3100
E-mail: thomasedison@quinnemanuel.com

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| I hereby certify that this correspondence is being facsimile transmitted to the Patent and Trademark Office Fax No. (571) 273-8300 on June 12, 2009 | |
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